

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNETH COOPER	:	CIVIL ACTION
	:	
	:	
v.	:	No. 04-3633
	:	
	:	
JO ANNE B. BARNHART,	:	
Commissioner of Social Security	:	

**ORDER**

**AND NOW**, this 14th day of August, 2006, upon consideration of the Plaintiff's Motion for Summary Judgment (Document No. 9), the defendant's Motion for Summary Judgment (Document No. 12), the parties' briefs, the plaintiff's reply brief, the Report and Recommendation of United States Magistrate Judge M. Faith Angell (Document No. 21), the plaintiff's objections, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The plaintiff's objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The plaintiff's motion for summary judgment is **DENIED**;
4. The defendant's motion for summary judgment is **GRANTED**; and,
5. **JUDGMENT** is entered in favor of the defendant and against the plaintiff.

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/s/ Timothy J. Savage  
TIMOTHY J. SAVAGE, J.